

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WAYNE W. ALLEN,)	CASE NO. 3:07CV3708
)	
PETITIONER,)	JUDGE PETER C. ECONOMUS
)	
V.)	
)	
RON HART,)	MEMORANDUM OPINION
Warden,)	AND ORDER
)	
RESPONDENT.)	
)	

This matter is before the Court upon a petition for a writ of habeas corpus filed by Wayne W. Allen (“Petitioner”), pursuant to 28 U.S.C. § 2254. (Dkt. # 1).

On February 13, 2008, this case was automatically referred to Magistrate Judge Nancy A. Vecchiarelli for preparation of a Report and Recommendation, pursuant to 28 U.S.C. § 636 and LR 72.1. (Dkt. # 3). On September 4, 2008, the Magistrate Judge issued a report and recommendation, recommending that the Court deny the instant petition because the petition is barred by the statute of limitations established by 28 U.S.C. § 2244(d)(1)(A). (Dkt. # 15). The Magistrate also stated that the petition may be dismissed because Petitioner’s guilty plea was knowing, intelligent, and voluntary, and because Petitioner was not deprived of the effective assistance of counsel. (Dkt. # 15).

On September 22, 2008, the Court granted Petitioner’s Motion for Extension of Time to File Objections to the Magistrate Judge’s Report and Recommendation. (Dkt. #

16). Petitioner was given until October 12, 2008, to file objections. He has failed to do so.

FED. R. CIV.P. 72(b) provides that objections to a report and recommendation must be filed within ten (10) days after service, but Petitioner has failed to timely file any such objections. Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and an inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

The Court has reviewed the report and recommendation of the Magistrate Judge *de novo*, and finds that it is well-supported. Therefore, the Report and Recommendation of Magistrate Judge Vecchiarelli (Dkt. # 15) is hereby **ADOPTED**, and Petitioner's petition for a writ of habeas corpus is **DENIED**.

IT IS SO ORDERED.

/s/ Peter C. Economus – October 20, 2008
PETER C. ECONOMUS
UNITED STATES DISTRICT JUDGE